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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/601,771

06/20/2003

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460.2174USU

7298

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06/08/2009

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EXAMINER

ZALUKAEVA, TATYANA

ART UNIT

PAPER NUMBER

3761

MAIL DATE

DELIVERY MODE

06/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: JESSICA E. LEMAY, KATHRYN G. BENNETT, KEITH
EDGETT, DANE R. JACKSON, JAMSHID REJAI

Appeal No. 2008-004786
Application 10/601,771
Technology Center 1600

Mailed: June 8, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER REMANDING TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 7, 2008. Upon review of the application, it has been determined that a remand to Examiner, via the Office of the

Appeal No. 2008-004786
Application No. 10/601,771

Director of the Technology Center, is necessary to consider the following issues and to take necessary corrective action.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on April 16, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is

ORDERED that this application be returned to the Examiner to:

- 1) consider the Reply Brief filed April 16, 2007, as indicated above;
- and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/bar

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